

KAPLAN S.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUDGE KAPLAN

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EITZEN CHEMICAL (SINGAPORE) PTE. LTD.

10 CIV 1186

Plaintiff,

-against-

DUNHILL PRODUCTS,
DUNHILL PRODUCTS GP, LLC,
DUNHILL PRODUCTS, LP, AND
INNOVATIVE RESOURCE MANAGEMENT,

**EX PARTE ORDER FOR
PROCESS OF MARITIME
ATTACHMENT AND
GARNISHMENT**

Defendants..

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/16/10

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Hon. , U.S.D.J.:

WHEREAS on February 16, 2010, Plaintiff Eitzen Chemical (Singapore) PTE.

Ltd. filed a Verified Complaint herein for damages amounting to USD 800,000.00 inclusive of interest, costs, and attorneys' and arbitrators' fees, and praying for the issuance of an ex parte order for Process of Maritime Attachment and Garnishment pursuant to Rule B of the supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, and

WHEREAS the attorney for Plaintiff has filed a Supporting Affidavit describing the efforts made by and on behalf of the Plaintiff to find and serve the Defendant with the District; and

WHEREAS the Court has reviewed the Verified Complaint and the Supporting Affidavit, and the conditions set forth in Supplemental Admiralty Rule B appear to exist; and

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WHEREAS the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server may attach any and all of the Defendant's property within the Southern District of New York; it hereby

ORDERED that Process of Maritime Attachment and Garnishment shall issue against all tangible or intangible property belonging to, claimed by, or being held for the Defendant by ~~any garnishes~~ **R2B Finance LLC** within the District, pursuant to Supplemental Admiralty Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure and such Attachment may be served as specified in the Process of Maritime Attachment and Garnishment submitted herewith; and it is further

ORDERED that any person claiming interest in the property attached or garnished pursuant to said order shall, upon application to the Court, be entitled to an adversary hearing within three court days, subject to this Court's and it is further

ORDERED that supplemental process enforcing this Court's order may be issued by the Clerk upon application within 30 days without further order of the Court; and it is further

ORDERED that a copy of this Order be attached to and served with the Process of Maritime Attachment and Garnishment; and it is further

ORDERED that if any of the Defendant's property is attached, the Plaintiff shall give prompt notice to the Defendant of the attachment. Such notice shall be in writing, and may be given outside of the District by telex, telegram, cable, fax, or other verifiable electronic means.

The Writ of Maritime Attachment and Garnishment authorized herein shall remain in effect for an initial period of ninety (90) days. Prior to its expiration, plaintiff may request renewal upon showing of sufficient reason to maintain this order in place. Plaintiff shall

include with the request a report showing the timely initiation and pursuit of arbitration pursuant to the charter party and providing the status of the arbitration. In the event such report or application for renewal is not submitted as specified, the Court may dismiss the action and vacate the order of attachment.

Dated: February 16, 2010
New York, New York

A handwritten signature in black ink, appearing to read "Hon. M. Kaplan", written over a horizontal line.

United States District Judge 